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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/450,679	11/30/1999	TSUTOMU ANDO	35.C14073	8002
5514	7590	01/30/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			VU, KIEU D	
		ART UNIT	PAPER NUMBER	
		2173	16	
DATE MAILED: 01/30/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/450,679

Applicant(s)

ANDO, TSUTOMU

Examiner

Kieu D Vu

Art Unit

2173

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 20 January 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

a) The period for reply expires ____ months from the mailing date of the final rejection.
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. The proposed amendment(s) will not be entered because:
 - (a) they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) they raise the issue of new matter (see Note below);
 - (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: ____.

3. Applicant's reply has overcome the following rejection(s): _____.
4. Newly proposed or amended claim(s) ____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-22.

Claim(s) withdrawn from consideration: _____.

8. The drawing correction filed on ____ is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____. 10. Other: _____.

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

2a. Regarding claims 1, 11, and 22, the newly added limitations "receiving means for receiving scene data comprised of a plurality of data streams", "identifying data stream", "construction means for constructing the scene from the plurality of objects and the plurality of data streams", and "the constructed scene does not include the data stream identified by said identifying means and an object related to the identified data stream" have not been earlier presented and would require further search and consideration.

Regarding claims 4 and 14, the newly added limitations "receiving means for receiving scene data comprised of a plurality of data streams", "identifying data stream", "classifying an object including the data stream", and "the constructed scene does not include the data stream" have not been earlier presented and would require further search and consideration.

Regarding claims 6, 16, and 21, the newly added limitations "copyright management means for executing a predetermined authenticating process for the media data copyright-protected by the copyright-protected data", and "media decoding means for decoding the media data separated by said separating means and an authenticated media data by said copyright management means" have not been earlier presented and would require further search and consideration.

Regarding claims 9 and 19, the newly added limitations "receiving means for receiving scene data comprised of a plurality of data streams", "identifying means for identifying a data stream having copyright-protected information from the received scene data", "detecting means for detecting an object not to be displayed on a basis of a language describing a 3-dimensional scene", and "construction means for constructing the 3-dimensional scene from a plurality of objects and the plurality of data streams on a basis of the identification result of said identifying means and a detecting result of said detecting means such that the constructed 3-dimensional scene does not include the data stream identified by said identifying means and the object detected by said detecting means until a predetermined authenticating process is completed" have not been earlier presented and would require further search and consideration.